

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

LEROY WILLIAMS,

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Plaintiff,

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v.

Civil Action No.:
2:06-cv-658-ID

**STATE OF ALABAMA DEPT. OF
TRANSPORTATION, et. al.**

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Defendant.

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UNOPPOSED MOTION FOR EXTENSION

Comes now the plaintiff and moves this honorable court for an unopposed extension of time to file his response to the defendant's summary judgment motion. In support of this motion, plaintiff states as follows:

- 1) As the Court is aware, plaintiff's counsel's mother was hospitalized for surgery a few weeks ago. This was her sixth major surgery in the last three years.
- 2) Due to his mother's post-surgery condition, Mr. Adams, the only counsel of record for plaintiff, was temporarily prohibited from traveling out of town to conduct discovery. When she had recovered sufficiently to be left alone, Mr. Adams contacted counsel for the defendants to schedule two short depositions any time during the week of April 29, 2007 through May 4, 2007. Plaintiff's summary judgment response is due May 8, 2007.
- 3) Due to scheduling issues, the parties were unable to agree on a date and the

defendants filed a motion to quash plaintiff's deposition notices. That motion was denied by Magistrate Moore.

4) The parties have now agreed that the plaintiff will seek an extension of time through May 23, 2007 to file his summary judgment response and have agreed on mutually convenient dates for those depositions sufficiently in advance of that proposed deadline. The defendants do not object to this extension request.

Wherefore, premises considered, plaintiff respectfully requests that this Court extend the due date for his summary judgment response until May 23, 2007.

Respectfully submitted,

Russell W. Adams
Counsel for Plaintiff

OF COUNSEL:

WIGGINS, CHILDS, QUINN & PANTAZIS, LLC
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CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY, that I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system which will send notification to the following:

Jim R. Ippolito
Andrew Redd
R. Mitchell Alton, III
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36110

Russell W. Adams
Counsel for the Plaintiff